

108TH CONGRESS
2D SESSION

H. J. RES. 96

Proposing an amendment to the Constitution of the United States regarding the appointment of individuals to serve as Members of the House of Representatives when, in a national emergency, a significant number of Members are unable to serve due to death, resignation, or incapacity.

IN THE HOUSE OF REPRESENTATIVES

MAY 4, 2004

Ms. LOFGREN introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States regarding the appointment of individuals to serve as Members of the House of Representatives when, in a national emergency, a significant number of Members are unable to serve due to death, resignation, or incapacity.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled (two-*
3 *thirds of each House concurring therein), That the fol-*
4 *lowing article is proposed as an amendment to the Con-*
5 *stitution of the United States, which shall be valid to all*
6 *intents and purposes as part of the Constitution when*

1 ratified by the legislatures of three-fourths of the several
2 States within seven years after the date of its submission
3 for ratification:

4 “ARTICLE —

5 “SECTION 1. With the approval of two thirds of each
6 House of Congress, Congress may by law provide for the
7 appointment of temporary members of the House of Rep-
8 resentatives to serve during any period in which 30 per-
9 cent or more of the seats of the House of Representatives
10 are vacant due to death, resignation, or incapacity.

11 “SECTION 2. Any temporary member appointed pur-
12 suant to a law enacted to carry out this article shall serve
13 until a member is elected to fill the vacancy in accordance
14 with the applicable laws regarding special elections in the
15 State involved or until the expiration of the 6-month pe-
16 riod which begins on the first day of the temporary mem-
17 ber’s service, whichever occurs earlier.”.

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